

PLAN COMMISSION MEETING  
SEPTEMBER 4, 2018 - 5:00 P.M.

Members Present: Fred Horne, Jim Zajkowski, Michelle Scanlan, MaryKay Rice, David Wilford and David Tyvoll

Members Absent: Mike Kastens

Others Present: Dan Licht, Beth Thompson, Mike Darrow, Scott Counter and Tanya Batchelor

Fred Horne called the meeting to order and roll call was taken.

Jim Zajkowski moved to adopt the agenda as presented, seconded by Michelle Scanlan and carried.

MaryKay Rice moved to approve the minutes from August 7, 2018, seconded by David Tyvoll and carried.

**Public Hearing**

Fred Horne declared the Public Hearing open to discuss the following:

- a) Petition for Attachment from Roger and Laurie Neumann for the following properties: 038-1109-95-000 consisting of 40 acres; 038-1141-40-000 consisting of 40 acres; 038-1141-30-050 consisting of 39 acres; 038-1141-10-001 consisting of 40 acres; 038-1138-10-002 consisting of 40 acres; 038-1138-10-000 consisting of 40 acres; 038-1138-10-001 consisting of 40 acres; 038-1110-30-000 consisting of 40 acres; 038-1110-10-000 consisting of 40 acres; 038-1106-50-001 consisting of 40 acres; 038-1106-50-000 consisting of 80 acres. Property is located north of Cty Hwy 64 and north of the Health Center property.
- b) Petition for Attachment from Roger and Laurie Neumann for 038-1101-10-00 consisting of 17.67 acres; and 038-1101-20-000 consisting of 29.76 acres; 038-1101-10-400 consisting of 2.20 acres; and 038-1101-50-000 consisting of .27 acres. Property is located South of 200<sup>th</sup> Avenue abutting the airport property.
- c) Petition for Attachment from St. Croix County for parcel #038-1141-30-075 for a cemetery located north of the Health Center property.
- d) Petition for Attachment from Brett Neumann for the following properties: 038-1106-10-010 consisting of 20 acres; 038-1105-95-010 consisting of 20 acres; 0389-1108-10 consisting of 40 acres; 038-1108-20-000 consisting of 40 acres; 038-1108-30-000 consisting of 40 acres; and 038-1108-40-000 consisting of 40 acres. Property is located north of the Health Center property.
- e) Petition for Attachment from City of New Richmond for 038-1110-20 Compost Site consisting of 40 acres. Located north of the Health Center property.

Dan Licht explained the Plan Commission is discussing the attachment petitions because initially we were treating these as annexations. Our City Attorney advised us to bring this through the entire process based on them being attachments per our Boundary Agreement with Star Prairie Township. The Development Review Committee recommended approval of the petitions with the following zoning:

038-1138-10-002	Roger & Laurie Neumann	Z3 Mixed Use Corridor
038-1138-10-001	Roger & Laurie Neumann	Z4 Med-High Density Residential
038-1138-10-000	Roger & Laurie Neumann	Z4 Med-High Density Residential
038-1141-30-050	Roger & Laurie Neumann	Z4 Med-High Density Residential

038-1141-40-000	Roger & Laurie Neumann	Z4 Med-High Density Residential
038-1141-10-001	Roger & Laurie Neumann	Z3 Mixed Use Corridor
038-1110-30-000	Roger & Laurie Neumann	Z2 Low Density Residential
038-1110-10-000	Roger & Laurie Neumann	Z2 Low Density Residential
038-1106-50-000	Roger & Laurie Neumann	Z2 Low Density Residential
038-1106-50-001	Roger & Laurie Neumann	Z2 Low Density Residential
038-1109-95-000	Roger & Laurie Neumann	Z2 Low Density Residential
038-1110-20-000	City of New Richmond	Z1 Institutional
038-1108-30-000	Brett Neumann LLC	Z2 Low Density Residential
038-1108-40-000	Brett Neumann LLC	Z2 Low Density Residential
038-1106-10-010	Brett Neumann LLC	Z2 Low Density Residential
038-1105-95-010	Brett Neumann LLC	Z2 Low Density Residential
038-1108-10-000	Brett Neumann LLC	Z2 Low Density Residential
038-1108-20-000	Brett Neumann LLC	Z2 Low Density Residential
038-1141-30-075	St. Croix County	Z4 Institutional

Dan Licht explained the attachment petition for property owned by Roger and Laurie Neumann located by the airport off Highway 65. The Development Review Committee recommended approval of this attachment with the following Zoning:

038-1101-50-000	Roger & Laurie Neumann	Z7 Industrial
038-1101-20-000	Roger & Laurie Neumann	Z7 Industrial
038-1101-10-000	Roger & Laurie Neumann	Z7 Industrial
38-1101-10-400	Roger & Laurie Neumann	Z7 Industrial

f) and g) Repeal Section 121-35 of the Zoning Ordinance establishing provisions for extra-territorial zoning; and Amend Chapter 117, Article II to add provisions related to extra-territorial subdivision review. Dan Licht explained that a recent court case regarding extra-territorial subdivision review declared certain items in our current ordinance invalid. This ordinance change removes the language that is invalid. The DRC recommends approval of this ordinance in compliance with the Court of Appeals decision in Lake Delavan Property Company, LLC v. City of Delavan.

Fred Horne declared the Public Hearing closed.

Jim Zajkowski moved to approve the attachment petitions from Star Prairie Township in items a) – e) with the zoning as outlined above and in the August 13, 2018, planning report, seconded by Michelle Scanlan and carried.

MaryKay Rice moved to approve the ordinance repealing Section 121-35 of the Zoning Ordinance and Amending Chapter 117, Article II relating to extra-territorial subdivision review as recommended by the DRC, seconded by David Tyvoll and carried.

### **Weiss Certified Survey Map**

Dan Licht explained the Certified Survey Map from Michael and Michele Weiss at 412 Fox Way. The CSM would move the property line between lots 9 and 10 of Fox Run Second Addition and vacate the drainage and utility easements. The Development Review Committee recommends approval of the CSM and vacation agreement for Michael and Michele Weiss subject to the following conditions:

- 1) City staff shall verify that the storage shed and fire pit have been relocated to comply with minimum setback requirements of the Z2 District prior to recording to the CSM.
- 2) Construction upon Lot 2 prior to completion of construction of Beaver Way shall require use of a driveway to Fox Way in compliance with the provisions of the Zoning Ordinance.

Jim Zajkowski moved to approve the Certified Survey Map from Michael and Michele Weiss as recommended, seconded by David Wilford and carried.

#### **Certified Survey Map from Ron Raedeke**

Dan Licht explained the properties in this Certified Survey Map are located at 348, 358 and 362 North Knowles Avenue. The property owner would like to tear down two houses and keep the third house and combine the lots into one. This will require a Conditional Use Permit to allow two principle buildings on one lot. That application for CUP will be discussed at the October Plan Commission meeting. There is an outlot on the CSM that will be deeded to the City under the park land dedication requirements and will be used in the future for the walkway/corridor along the river. City staff has been working with the property owner on the design of the building. They have agreed to make several upgrades to enhance the look from the street. The CSM will not be recorded until after the CUP is approved. Michelle Scanlan moved to approve the Certified Survey Map from Ron Raedeke, seconded by Jim Zajkowski and carried.

#### **Extra-Territorial Certified Survey Map from Todd Nehlich**

This property is located in Richmond Township. The property owner would like to create two lots with one lot to include all buildings and the other to be used exclusively for agriculture use. Staff recommended to acquire additional right-of-away of 35 feet at this time so that at some time in the future if this property comes into the City, it is in compliance. Discussion followed. The property owner had requested the lot around the buildings to be L-shaped. Staff recommended to approve the Certified Survey Map from Todd Nehlich subject to the following conditions:

- 1) Lot 1 shall be revised to include all of the area north and west of the proposed east lot line on lot 1.
- 2) The CSM shall dedicate 35 feet of right-of-way for the north one-half of 170<sup>th</sup> Street as a future local collector roadway.
- 3) The on-site septic system shall be inspected and improved as necessary to ensure that it is functioning in accordance with Wisconsin Rules and that there is adequate area within the proposed lot for a primary and secondary drain field site.

Fred Horne moved to approve the Extra-Territorial CSM as recommended, seconded by Jim Zajkowski and carried.

MaryKay Rice moved to adjourn the meeting, seconded by David Wilford and carried.

Meeting adjourned at 5:27 p.m.

Tanya Batchelor  
City Clerk